

June 3, 2020

The Trustees of the Village of Malcolm met on Wednesday, June 3, 2020 at 7:00 p.m. through conference calling, due to COVID-19. Notice of the meeting was in the May 21, 2020 "Clipper". The notice of the meeting being held by conference calling was also posted at the Village Hall, Post Office, Malcolm Fire Station and posted on the Malcolm Website on Monday, June 1, 2020.

ROLL CALL

Rohe, Hicken, Kopecky, Little

Absent: Schweitzer

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

This meeting is being conducted in accordance with the Executive order No. 20-03 signed by Governor Pete Ricketts on March 17, 2020 due to COVID-19.

Also present on the conference call was David Solheim, Village Attorney and Nadine Link, Village Clerk and Don Schrader, Village Superintendent.

VISITORS PRESENT: None due to COVID-19

APPROVAL OF MINUTES: Rohe made a motion to accept the minutes of the May 6, 2020 meeting, seconded by Hicken. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0. Members absent: Schweitzer.

APPROVAL OF MINUTES: Rohe made a motion to accept the minutes of the May 26, 2020 meeting, seconded by Kopecky. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0. Members absent: Schweitzer.

TREASURER REPORT – Rohe made a motion to accept the treasurer's report for the month of May 2020, with disbursements of \$153,221.51 and deposits of \$45,997.29. Motion seconded by Kopecky. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0; Members absent: Schweitzer.

Henrik & Kathy Christensen joined the conference call to discuss the steps for rezoning, annexation and submitting an Administrative Plat for the last lot on the north end of Elk Creek Road. Following further discussion, Little made a motion to approve the annexation of the lot into the Village limits, Hicken seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0. Members absent: Schweitzer.

Jason Lemkau joined the conference call to discuss the possibility of putting a storage shed on his property at 191 North Lincoln Street. After further discussion, Board agreed that Mr. Lemkau could keep a storage unit at 191 North Lincoln Street during the construction of his house once a Use Permit was submitted.

VILLAGE MAINTENANCE REPORT: A report was submitted and received by the Board.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

Jeff Schweitzer joined the conference call at 8:15 p.m.

VILLAGE CLERK'S REPORT: A report was submitted and received by the Board.

Loretta Anderson asked if the plaques/pictures of the retired postmasters from Malcolm could be hung in the Village Hall, following further discussion, Hicken made a motion to approve the request, Little seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Hicken, Kopecky, Little; NAY: Rohe, Schweitzer; Motion carried 3-2. Members absent: None.

Rohe made a motion to take a 15 break at 9:24 p.m., Kopecky seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Kopecky, Schweitzer; NAY: Hicken; Abstain: Little; Motion carried 3-2. Members absent: None.

Board went back into session at 9:34.

BACKGROUND: ZITO Media Agreement: All dishes and antennas have been removed from the water tower area. David Solheim, Village Attorney sent the Franchise Agreement back to ZITO for their review about 6 weeks ago and is still waiting for a response. David will be in contact with them before the next meeting.

BACKGROUND: Evaluations for all employees: Will be tabled until the July meeting or the next time the Board can meet in person.

BACKGROUND: VFD's in wells 3 & 4: Don Schrader, Village Superintendent will gather more information from the electrician and report at the next meeting.

BACKGROUND: Sewer Plant – hauling wastewater- domestic waste sludge in Lincoln: Don and Board will do more research and report at the next meeting.

BACKGROUND: Creek erosion at the ball field: Board advised Nadine and Don to contact Gana Trucking and Hartmann to get bids to fix the erosion. Also, call Randy Tonkinson to see about using his land once the crop is out to bring the equipment in from the north side of the creek.

Kopecky made a motion to suspend the three-reading rule for Ordinance 2020-02, Little seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5–0. Members absent: None.

BACKGROUND: Ordinance 2020-02 – Food Trucks – new Code and Application: After further review and discussion, Hicken made a motion to approve Ordinance 2020-02 as amended with an effective date for the Ordinance to be in full force January 1, 2021. Kopecky seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5–0. Members absent: None.

BACKGROUND: Resolution 2020-03 – Capitalization Policy: after further review of the Resolution, Rohe made a motion to approve Resolution 2020-03, a Resolution of the Board of Trustees of the Village of Malcolm, Lancaster County, Nebraska, to establish a Capitalization Policy for fixed assets. Kopecky seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5–0. Members absent: None.

BACKGROUND: Malcolm Residential Letter – Manganese Health Advisory for Malcolm: Board reviewed the wording of the June, 2020 Residential letter for the public notice from the Nebraska Department of Health and Human Services regarding the Health Advisory (not a Health Warning) for the levels of manganese that were found in the water samples collected.

BACKGROUND: Administrative Plat Application; Re-zoning and Annexation for lot on Elk Creek Road: Annexation was approved earlier in the meeting. Discussion continued regarding the fee for the extra meetings. After further discussion, Little made a motion that the Village cover the fee for one special meeting and Kathy and Henrik Christiansen pay \$400.00 for the other special meeting, so that all required meetings will be held by the July 8, 2020 meeting. Hicken seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Little; NAY: Kopecky, Schweitzer; Motion carried 3-2. Members absent:

BACKGROUND: Building Permit for an addition to an existing home at 517 Education Drive for Nicholas Benes: After reviewing the building permit application, Rohe made a motion to approve the permit as submitted. Kopecky seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5–0. Members absent: None.

BACKGROUND: Building Permit for deck at 3 Beckman Circle: Board reviewed the building permit submitted by Jacob Vrbka for a new deck at his existing home, Rohe made a motion to approve the permit as submitted. Hicken seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5–0. Members absent: None.

BACKGROUND: Building Permit for new home at 560 Malcolm Road: Newcastle Construction, LLC submitted the building permit, following further review of the permit, Rohe made a motion to approve the permit as submitted. Hicken seconded the motion. The Chairperson called for a

roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5–0. Members absent: None.

BACKGROUND: Golf Carts: Two complaints were received regarding golf carts being driven by kids under the limited age, a copy of the Village codes for UTV's, ATV's and golf carts were sent in the Residential letter, if matters do not improve by the July, 2020 Board meeting the Board will discuss potentially banning all golf carts, UTV's and ATV's from the Village.

BACKGROUND: July Board Meeting date: The July 1, 2020 Village Board meeting will be moved to July 8, 2020 due to the 4th of July Holiday.

Malcolm Planning Commission did not hold a meeting in May 2020 due to COVID-19.

With no further business to discuss, Rohe moved to adjourn at 11:12 p.m. Little seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Nadine Link, Village Clerk